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Management Inquiry Final Report

U.S. General Services Administration

Mar 9, 2022

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Report For: Ms. Beverly Bigham
Chief of Staff
R4 Public Buildings Service
U.S. General Services Administration

From: Anthony Cox
Branch Chief
Customer and Stakeholder Engagement Division
R4 Federal Acquisition Service
U.S. General Services Administration

Subject: **Management Inquiry Final Report**

Reference: (b) (6) (b) (6) contends that on Oct 8, 2020 at 11:53 a.m. Est, his supervisor (Mr. Charles Jackson) called (b) (6) on the phone and made a race-based comment to (b) (6) (b) (6) (b) (6) alleges that Mr. Jackson made the statement: I am the "HNIC". (b) (6) stated that (b) (6) does not know why Mr. Jackson called

(b) (6) because the phone call was unscheduled, and it did not involve any GSA business. See (b) (6) Affidavit dated Jan 27, 2022.

(b) (6) stated that Mr. Jackson has turned their working environment into a toxic and hostile working environment. (b) (6) also stated that Mr. Jackson retaliates against (b) (6) and anyone when they do not agree with what (b) (6) states. See (b) (6) Affidavit dated Feb 11, 2022.

Mr. Charles Jackson contends that he did not make the alleged statement to (b) (6) (b) (6), that (b) (6) alleges. Mr. Jackson stated that he did have a phone conversation with (b) (6) on Oct 8, 2020 about his timecard. See Mr. Jackson's Affidavit dated Jan 20, 2022 and statements dated Feb 7, 2022, 2:45 p.m.; Oct 16, 2020 ((b) (6) Insolence behavior) and Background in Notice of Proposed Suspension dated Nov 17, 2020.

Background: A management inquiry was initiated on Jan 13, 2022 to obtain facts surrounding the aforementioned allegations. This memo documents the findings of the Management Inquiry.

Management Inquiry Official: (b) (6)

Inquiry Methodology: Affidavits Questions and Witness Statements.

Affidavits and Statements Reviewed by Inquiry Official:

(b) (6) [Affidavit dated Jan 27, 2022.](#) (Did not provide me with a signed Affidavit)

(b) (6) [Updated Affidavit dated Feb 11, 2022.](#) (Did not provide me with a signed Affidavit)

[Charles Jackson Affidavit dated Jan 20, 22.](#) (Signed Affidavit on file).

[Charles Jackson Statement dated Feb 4, 2022, 4:43 p.m.](#)

(b) (6) [Email dated Feb 7, 2022 11:49 a.m.](#)

(b) (6) [Email dated Feb 7, 2022, 2:24 p.m.](#)

[Charles Jackson Statement to Inquiry Official Feb 7, 2022, 2:45 p.m.](#)

[Charles Jackson Statement to Inquiry Official Feb 7, 2022, 2:55 p.m.](#)

[Charles Jackson Document dated Oct 16, 2020 \(\(b\) \(6\)\) Insolence Behavior\).](#)

[Charles Jackson Document from \(\(b\) \(6\)\) dated Oct 16, 2020 \(Neal Hatcher's Behavior_10.16.20\)](#)

[Charles Jackson Notice of Proposal Suspension Document for \(\(b\) \(6\)\) dated Nov 17, 2020.](#)

[Charles Jackson Provided Statement \(\(b\) \(6\)\) statement to Charles Jackson dated Nov 17, 2020, 10:27 p.m.\)](#)

[Charles Jackson Provided Statement from \(\(b\) \(6\)\) \(Personnel Issue: Neal Hatcher\) dated Oct 15, 2020.](#)

[Charles Jackson Statement to \(\(b\) \(6\)\) \(7 Days Old Invoice...R4\) dated Oct 20, 2020, 3:04 p.m.](#)

[Charles Jackson Provided Statement from \(\(b\) \(6\)\) Statement to \(\(b\) \(6\)\) \(Letter of Decision on Notice of 7-day Suspension\) dated Feb 10, 2021](#)

[Charles Jackson Statement to Inquiry Official dated Feb 7, 2021, 3:52 p.m.](#)

[Charles Jackson Statement to Inquiry Official dated Feb 8, 2022, 2:18 p.m.](#)

[Charles Jackson Provided Statement Neal Hatcher's Document \(Rebuttal to Notice of Proposed Suspension\) dated Nov 28, 2020.](#)

[Charles Jackson Statement to Inquiry Official dated Feb 10, 2022, 3:46 p.m.](#)

[\(\(b\) \(6\)\) Affidavit, dated Jan 27, 2022 \(Signed Affidavit on file\)](#)

[\(\(b\) \(6\)\) Affidavit dated Jan 31, 2022 \(Signed Affidavit on file\)](#)

[\(\(b\) \(6\)\) Affidavit dated Jan 25, 2022.\(Signed Affidavit on file\)](#)

(b) (6) [Affidavit dated Feb 3, 2022.](#)(Signed Affidavit on file)

(b) (6) [Affidavit dated Feb 2, 2022](#) (Signed Affidavit on file)

(b) (6) [Affidavit dated Feb 2, 2022.](#) (Declined to sign Affidavit)

(b) (6) [Updated Affidavit dated Feb 14, 2022.](#) (Declined to sign Affidavit)

(b) (6) [Affidavit dated Jan 31, 2022](#) (Signed Affidavit on file)

(b) (6) [Affidavit dated Feb 1, 2022.](#) (Did not provide me with a signed Affidavit)

(b) (6) [Affidavit dated Feb 1, 2022.](#) (Declined to sign Affidavit)

(b) (6) [Updated Affidavit dated Feb 2, 2022.](#) (Declined to sign Affidavit)

(b) (6) [Affidavit dated Jan 31, 2022](#) (Signed Affidavit on file)

(b) (6) [Statement dated Feb 17, 2022.](#)

[Signed Affidavit](#) (b) (6) [.](#)(Signed Affidavit on file)

(b) (6) [Affidavit dated Feb 17, 2022.](#) (Did not provide me with a signed Affidavit)

(b) (6) [Affidavit dated Feb 3, 2022.](#) (Signed Affidavit on file)

[Management Inquiry Appointment Memorandum 01.14.2022.](#)

[9751.1 HRM Maintaining Discipline.](#)

[2325.8 ADM General Services Administration \(GSA\) Policy Statement on Harassment, Including Sexual and Non-sexual.](#)

Findings: After conducting interviews, collecting and reviewing affidavits and individual statements, and the other documents described above, I have made the following factual findings:

- (b) (6) alleges that on Oct 8, 2020 during a phone call that Mr. Charles Jackson made to (b) (6) Mr. Charles Jackson made a raced-based statement

towards (b) (6) (I am the “Head Nigger In Charge”) and talked to (b) (6) in ways that made (b) (6) feel uncomfortable and caused (b) (6) to respond to Mr. Jackson in a negative way, e.g., used profanity towards Mr. Jackson. In (b) (6) Affidavit dated Jan 27, 2022, (b) (6) stated that (b) (6) did not know why Mr. Charles Jackson called (b) (6) on Oct 8, 2020 and that the call did not involve GSA business. However, (b) (6) acknowledged in his rebuttal to a Notice of Proposed Suspension dated Nov 28, 2020 from (b) (6) that Mr. Jackson called (b) (6) on Oct 8, 2020 in regard to his timecard. No other PBS employees, or anyone else witnessed the phone conversation on Oct 8, 2020 between (b) (6) and Mr. Jackson when the alleged race-based comment was made. However, (b) (6) stated that (b) (6) told Human Resources (HR), coworkers and PBS management officials about the race-based statement that Mr. Jackson allegedly made towards (b) (6). (b) (6) stated that (b) (6) could not remember the exact date when (b) (6) advised his coworkers but stated that the timeframe was in Oct/Nov 2020. (b) (6) stated that (b) (6) told (b) (6) and the following PBS employees below about the conversation that (b) (6) had with Mr. Jackson on Oct 8, 2020 when Mr. Jackson allegedly made the race-based comment. (b) (6) stated that (b) (6) out to his coworkers to learn whether any of them had been in similar situations (generally) and sought their guidance on how (b) (6) should handle the situation. (b) (6) stated that all of his coworkers stated that they experienced similar situations. Although, none of the employees that (b) (6) identified have experienced having a race-based comment uttered to them by Mr. Charles Jackson. Please see the Affidavits from PBS employees and (b) (6) below. Except for (b) (6) (b) (6), all PBS employees below affirmed that (b) (6) did make them aware of his conversation with Mr. Jackson when Mr. Jackson allegedly used a race-based comment towards (b) (6). See employees’ Affidavits including (b) (6)

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(b) (6) stated that (b) (6) contacted PBS management to tell them about the race-based comment and other comments and issues that have been ongoing since Oct 2020. (b) (6) stated that when (b) (6) told (b) (6) about the race-based statement that Mr. Jackson made towards (b) (6) (b) (6) response was: *“when did these issues start between Charles Jackson and myself.”* (b) (6) stated that when (b) (6) told Me. (b) (6) about the race-based statement that Mr. Jackson made towards (b) (6) (b) (6) stated, *“Mr. Jackson can do whatever he wants to do because he is in charge of the Section.”*

(b) (6) stated that (b) (6) did not provide a response.

(b) (6) stated that the (b) (6) (b) (6) is aware that Mr. Jackson has raised his voice at (b) (6). I spoke with (b) (6) on Feb 4, 2022 and (b) (6) stated to me that (b) (6) is aware of the conflict between (b) (6) and Mr. Jackson and has tried to manage it. (b) (6) stated that there is tension between (b) (6) and Mr. Jackson and that whenever (b) (6) and Mr. Jackson communicate by phone (b) (6) would listen in on the call also. Although I requested an Affidavit from (b) (6) during our phone conversation, to date (b) (6) has not provided me with an Affidavit. I

spoke with (b) (6) again the week of Feb 14, 2022 to ask (b) (6) again to submit the Affidavit. Again, I have not received the Affidavit from (b) (6).

- Mr. Charles Jackson stated that he did not make the race-based comment to (b) (6). See Mr. Jackson's Affidavit dated Jan 20, 2022. Mr. Jackson has provided statements to highlight (b) (6) behavior during their Oct 8, 2020 phone conversation that Mr. Jackson asserts led up to (b) (6) suspension in Nov 2020. See Mr. Jackson's statements to the Inquiry Official dated Feb 7, 2022, 2:45 p.m., Feb 7, 2022, 2:55 p.m. and (b) (6) (b) (6) Suspension Proposal Document for (b) (6) dated Nov 17, 2020. See Charles Jackson's Affidavit dated Jan 20, 2022.
- (b) (6) stated that (b) (6) made (b) (6) aware of the race-based (Head-Nigger-In-Charge) comment that Mr. Charles Jackson allegedly made towards (b) (6) on Oct 9, 2020. (b) (6) stated that (b) (6) was not on the call between (b) (6) and Mr. Charles Jackson and did not hear Mr. Jackson allegedly make a race-based comment towards (b) (6). (b) (6) stated that (b) (6) called (b) (6) on the phone to make (b) (6) aware of the allegation and that Mr. Hatcher told (b) (6) that (b) (6) was the first person that (b) (6) was sharing this with.
- (b) (6) stated that (b) (6) vaguely remembers having a conversation with (b) (6) that (b) (6) believes had to do with Mr. Charles Jackson racially disparaging (b) (6). See (b) (6) Affidavit dated Jan 27, 2022. (b) (6) later stated that (b) (6) didn't remember what was alleged by Mr. (b) (6) and that (b) (6) didn't remember if (b) (6) alleged that (b) (6) was racially disparaged. See (b) (6) declaration signed Mar 7, 2022.
- (b) (6) stated that (b) (6) told (b) (6) in Oct/early Nov 2021 that Mr. Charles Jackson told (b) (6) that Mr. Jackson was the "HNIC" for the Projects Section and that (b) (6) would respect (b) (6) (b) (6) said that (b) (6) said that Mr. Jackson repeated that he was the "HNIC" and that (b) (6) would respect him and do as he was ordered. (b) (6) stated that (b) (6) advised (b) (6) to submit a grievance through the Union for Mr. Jackson's comments and instilling a hostile work environment.
- (b) (6) stated that (b) (6) has definitely witnessed unprofessional supervisory behavior by Mr. Charles Jackson towards (b) (6). In (b) (6) Affidavit, (b) (6) provided several examples of how Mr. Charles

Jackson allegedly behaved inappropriately concerning (b) (6). For example, (b) (6) stated that Mr. Jackson called (b) (6) on Mar 2020 and said that “errors made were made because (b) (6) was incompetent and not capable of handling any critical high profile projects”. (b) (6) also stated that Mr. Jackson stated to (b) (6) to “stop protecting (b) (6), because nobody likes working with (b) (6) in the GSA Alabama Service Center and that (b) (6) was going to remove (b) (6) from every project that (b) (6) could”. See (b) (6) Affidavit dated Jan 31, 2022 and (b) (6) Affidavit dated Jan 31, 2022.

- (b) (6) stated in his Affidavit dated Jan 31, 2022 that Mr. Jackson made the following comment ***"The Buck Stops With (b) (6) On This Project, And That Nothing More Will Be Done On This Project Without The GSA Engineer And Project Manager getting his approval"*** during a site visit to Selma, Alabama in October 2021 to participate in a final inspection. (b) (6) was in attendance (along with (b) (6)) and heard Mr. Jackson make the statement. (b) (6) stated that (b) (6) did not hear Mr. Charles Jackson make the statement ***"The Buck Stops With (b) (6) On This Project, And That Nothing More Will Be Done On This Project Without The GSA Engineer And Project Manager getting his approval"*** during a site visit to Selma, Alabama in October 2021 to participate in a final inspection of all work done on the Selma, Alabama HVAC Renovation Project that Mr. Charles Jackson made during a site visit to Selma, Alabama in October 2021 along with (b) (6), Charles Jackson, and (b) (6).
- (b) (6) acknowledged that (b) (6) has had interactions with Mr. Charles Jackson that were adversarial and unprofessional. (b) (6) recalled a conversation (b) (6) had with Mr. Jackson when (b) (6) was attempting to help Mr. Jackson, but Mr. Jackson said in a loud voice “If you don’t want to help me just say so!” (b) (6) said that (b) (6) responded by saying, ***"Why are you being so adversarial? I am trying to help you. I ended the conversation by saying, We are not getting anywhere so I am going to hang up now. I will look into this and respond in an email"***. See (b) (6) Affidavit dated Jan 31, 2022.

- (b) (6) acknowledged that (b) (6) had a conversation with Mr. Charles Jackson and Mr. Jackson called (b) (6) ' supervisor and told (b) (6) ' supervisor that (b) (6) refused to work on Mr. Jackson's project. (b) (6) said that Mr. Jackson's statement that (b) (6) refused to work on his project was a lie. See (b) (6) Affidavit dated Feb 1, 2022.
- (b) (6) has experienced Mr. Charles Jackson respond in an unprofessional manner via phone, email and video chat. See (b) (6) Affidavits dated Feb 2, 2022 and Feb 14, 2022.
- In (b) (6) Affidavit dated Jan 27, 2022, (b) (6) stated that Mr. Jackson would throw things down on his desk and table and would turn around in his chair to display disgust when someone did not agree with (b) (6) (b) (6) stated that (b) (6) did not observe Mr. Charles Jackson throw anything on his desk or table and turn around in his chair to display disgust because someone did not agree with (b) (6) (b) (6) stated that (b) (6) did have one incident with Mr. Jackson. (b) (6) stated *"(b) (6) spoke very rudely and unprofessionally to me. (b) (6) started out the conversation with comments like "nobody likes to work with you" and "no one on the team believes you are a team player". Who speaks to another person like that? Only speaking in general terms and providing no names or specific incidents. It was a result of my not taking his side on a teleconference involving a contractor's fault in what CJ considered unacceptable work. As a result of this confrontation, CJ and I later the same day had a 90 minute conversation and ironed things out. From that point on, I have had zero problems with (b) (6) In fact, I would now say we have a good/normal professional relationship. (b) (6) treats me with respect and professionalism."* See (b) (6) Affidavit dated Feb 1, 2022.
- (b) (6) also stated that a de-escalation is needed in (b) (6) and Mr. Charles Jackson's relationship before someone is injured. See (b) (6). (b) (6)s Affidavit dated Feb 2, 2022.
- (b) (6) stated that (b) (6) did call (b) (6) to tell (b) (6) that Mr. Charles Jackson called (b) (6) and made a race-based comment (HNIC) towards (b) (6) However, (b) (6) stated that (b) (6) could not confirm or deny what was said during the call between (b) (6) and Mr. Jackson. See (b) (6) Affidavit dated Feb 3, 2022.

- (b) (6) stated that (b) (6) has never witnessed any race-based comments made by Mr. Charles Jackson. Although, (b) (6) stated that (b) (6) witnessed on several occasions (b) (6) acted in an insubordinate way toward his supervisor Charles Jackson when asked to perform his duties. See (b) (6) Affidavit dated Feb 3, 2022.
- (b) (6) statement reflects that (b) (6) dishonored Mr. Charles Jackson's orders on Oct 14, 2020. Background provided by (b) (6): *"As Mr. Jackson (b) (6) Supervisor) provided an alternative perspective to address the situation on a supervisory playing field, (b) (6) requested (b) (6) to set up a preliminary meeting to discuss as the prime owners (CO/COR) of the project first. In response, (b) (6) communicated to Mr. Jackson in an unsatisfied manner to pretty much "set up the meeting (b) (6) due to his supervisor wanting to go a different route". See (b) (6) Statement (b) (6) Behavior 10.16.2020.*
- (b) (6) was made aware of the race-based comment that Mr. Charles Jackson allegedly made towards (b) (6) through (b) (6) (b) (6)'s rebuttal to a Notice of Proposed Suspension Letter for (b) (6) dated Nov 28, 2020.

Conclusion: (b) (6) did in fact tell (b) (6) coworkers and PBS managers that Mr. Charles Jackson made a race-based comment towards (b) (6). Six witnesses attested to the fact that (b) (6) did tell them that Mr. Charles Jackson made a race-based comment towards (b) (6). These witnesses are: (b) (6), (b) (6).

Seven witnesses allege that they have either observed, been involved in, or heard about Mr. Charles Jackson's communication patterns that can arguably be characterized as unprofessional. These witnesses are: (b) (6)

The only witnesses that can attest to whether Mr. Charles Jackson actually told (b) (6) that (b) (6) was the "Head Nigger in Charge" are Mr. Charles Jackson and (b) (6) themselves, and they disagree about the matter. The truth about whether, or not, the race-based comment was actually uttered by Mr. Jackson towards (b) (6) may never be uncovered. With the exception of (b) (6) (b) (6) none of the other witnesses have personal knowledge of Mr. Charles

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